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Attorneys for Plaintiff and Counterdefendant
COPART INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

COPART INC.,

Plaintiff,

vs.

CRUM & FORSTER INDEMNITY
COMPANY, UNITED STATES FIRE
INSURANCE COMPANY, and DOES 1-10,
Inclusive,

Defendants.

AND RELATED CROSS-ACTION

Case No. C 07 2684 CW

E-FILING

**STIPULATION AND PROPOSED
ORDER RE EXTENSION OF
DISCOVERY DEADLINE FOR
COMPLETION OF DEPOSITIONS**

(TRIAL DATE UNAFFECTED)

Action Filed: March 20, 2007
Trial Date: November 10, 2008

Plaintiff Copart, Inc. and Defendant United States Fire Insurance Company, by and through their respective counsel herein, stipulate to the following extension of the deadline for close of fact discovery solely for purpose of completing depositions necessitated by scheduling conflicts of counsel and witnesses. *This extension will not affect the trial date or any other dates currently calendared.*

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1 Despite considerable efforts, the parties to this action were unable to schedule and
2 complete all depositions (including depositions of non-party witnesses and out-of-state
3 depositions) by the fact discovery completion deadline of May 30, 2008.

4 Site inspections requested by defendant have not yet occurred due to plaintiff's filing of
5 a motion for a protective order, which was set for hearing before Magistrate Judge LaPorte on
6 June 17, 2008. Judge LaPorte granted the motion for protective order in part and allowed
7 USFIC to make site inspections of three of the locations designated in its first request.

8 The parties, therefore, agree to the following deadlines:

9 Completion of fact discovery for depositions only: July 18, 2008.

10 Deadline for expert witness disclosure: July 18, 2008.

11 Deadlines for three site inspections requested by USFIC to be determined by agreement
12 of the parties.

13 The dates for the status conference and hearings on dispositive motions (August 21,
14 2008) pretrial conference (October 26, 2008) and trial (November 10, 2008) will remain the
15 same.

16 Specifically, the deposition of Marni Hansen shall take place on June 12, 2008 at 9:30
17 a.m. at plaintiff's counsel's offices in San Francisco.

18 The deposition of Dennis McCarthy, individually and as a Rule 30(b)(6) witness, shall
19 take place on June 12, 2008 at 9:30 a.m. in Newark, New Jersey.

20 The deposition of Carlton Clarke shall begin on June 13, 2008 at 9:30 a.m. in New
21 York, New York, and shall be completed on a date on or before July 18, 2008 in Newark, New
22 Jersey or New York, New York.

23 The deposition of Orvin Wills shall take place on June 25, 2008 at 9:30 a.m. in Atlanta,
24 Georgia.

25 The deposition of Sherry Myers shall take place on July 2, 2008 at defendant's
26 counsel's office.

27 The deposition of John Petrillo shall take place no later than July 18, 2008 in Newark,
28 New Jersey or New York, New York.

1 The deposition of Ronald Keleman shall take place no later than July 18, 2008 in
2 Newark, New Jersey or New York, New York.

3 On June 27, 2008 plaintiff shall produce a qualified witness or witnesses to testify on
4 Subjects #5 and #10 of defendant's Rule 30(b)(6) deposition notice. Said deposition shall take
5 place at defendant's counsel's office in San Francisco.

6 No later than July 18, 2008, defendant shall produce a qualified witness or witnesses to
7 testify on Subject #2, "retention of emails" of plaintiff's Rule 30(b)(6) deposition notice. Said
8 deposition shall take place in Newark, New Jersey or New York, New York.

9 The fact discovery completion deadline shall be extended to accommodate the
10 foregoing matters and only the foregoing matters.

11 Any discovery motion concerning any of the foregoing depositions shall be filed within
12 10 days of the last date upon which the deposition was to take place, as set forth above.

13 Any further discovery motion concerning site inspections shall be filed within 10 days
14 of the dates agreed to by the parties for completion of the three site inspections.

15 All other deadlines and hearing dates (including the August 21, 2008 hearing on
16 dispositive motions and status conference, the October 26, 2008 pretrial conference), and the
17 trial (November 10, 2008) will remain unchanged.

18 Dated: June 23, 2008

PILLSBURY & LEVINSON, LLP

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20 By: /s/ Vedica Puri

Vedica Puri

Attorneys for Plaintiff and Counterdefendant
COPART INC.

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23
24 Dated: June 23, 2008

BULLIVANT HOUSER BAILEY PC

25
26 By: /s/ Samuel H. Ruby

Samuel H. Ruby

Attorneys for Defendant and Counterclaimant
UNITED STATES FIRE INSURANCE
COMPANY

1 IT IS SO ORDERED.

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3 Dated: _____

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CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

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